

STATE OF WISCONSIN  
**Assembly Journal**  
Eighty-Sixth Regular Session

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TUESDAY, January 31, 1984.

10:00 A.M.

The assembly met.

Speaker Loftus in the chair.

The prayer was offered by Father Russell Jacobus of Saint Matthias Episcopal Church, 111 East Main Street, Waukesha.

Representative T. Thompson led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present -- Andrea, Antaramian, Becker, Bell, Bolle, Bradley, Brist, Buettner, Byers, Chvala, Clarenbach, Coggs, M., Coggs, S., Coleman, Cowles, Crawford, Donoghue, Foti, Gerlach, Gilson, Goetsch, Goodrich, Gronemus, Hasenohrl, Hauke, Hephner, Holperin, Holschbach, Horvath, Huelsman, Jaronitzky, Jauch, Johnson, Kasten, Krusick, Kunicki, Larson, Lewis, Looby, Luckhardt, McEssy, Manske, Matty, Medinger, Menos, Merkt, Metz, Miller, Moyer, Munts, Nelsen, Neubauer, Panzer, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robinson, Rogers, Rooney, Rosenzweig, Rude, Rutkowski, Schneider, Schneiders, Schober, Schultz, Seery, Sell, Shoemaker, Smith, Stewart, Stitt, Stower, Swoboda, Tesmer, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Ulichny, Vanderperren, Van Gorden, Volk, Walling, Williams, Wimmer, Wineke, Wood, Young, Zeuske and Speaker Loftus -- 98.

Absent -- None.

Absent with leave -- None.

Vacancies -- 14th Assembly District -- 1.

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AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Joint Resolution 75** offered by Representative Menos.

Assembly amendment 2 to **Assembly Bill 256** offered by Representative Crawford.

Assembly amendment 1 to **Assembly Bill 428** offered by Representative Swoboda, by request of Mr. Francis Everson, Sturgeon Bay, Wisconsin.

Assembly amendment 2 to **Assembly Bill 428** offered by Representative Swoboda, by request of Mr. Francis Everson, Sturgeon Bay, Wisconsin.

Assembly amendment 2 to **Assembly Bill 480** offered by Representatives Prosser, Hasenohrl and Vanderperren.

Assembly amendment 1 to **Assembly Bill 515** offered by Representatives Ulichny, D. Travis and Metz.

Assembly substitute amendment 1 to **Assembly Bill 690** offered by Representatives Holperin and Prosser.

Assembly substitute amendment 1 to **Assembly Bill 756** offered by committee on Commerce and Consumer Affairs.

Assembly substitute amendment 1 to **Assembly Bill 868** offered by Representative Neubauer.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 868** offered by Representative Radtke.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 868** offered by committee on Elections.

Assembly amendment 1 to **Assembly Bill 906** offered by Representative Ulichny.

Assembly amendment 1 to **Assembly Bill 927** offered by committee on Criminal Justice and Public Safety.

Assembly amendment 1 to **Assembly Bill 968** offered by Representative Horvath.

Assembly amendment 1 to **Senate Bill 6** offered by Representatives Gerlach, Walling, Becker, McEssy and Menos.

Assembly amendment 2 to **Senate Bill 6** offered by Representatives Gerlach, Walling, Becker, McEssy and Menos.

Assembly amendment 1 to assembly substitute amendment 1 to **Senate Bill 56** offered by Representatives Crawford and M. Coggs.

Assembly amendment 3 to **Senate Bill 304** offered by Representative Horvath.

Assembly amendment 1 to **Senate Bill 331** offered by Representative Wimmer.

Assembly amendment 2 to **Senate Bill 331** offered by Representative Wimmer.

Assembly amendment 4 to **Senate Bill 427** offered by Representative Radtke.

Assembly amendment 5 to **Senate Bill 427** offered by Representative Radtke.

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#### ADMINISTRATIVE RULES

Read and referred:

##### **Assembly Clearinghouse Rule 82-140**

Relating to erection and maintenance of guidance, motorist service, specific information and business signs within the limits of public highways.

Submitted by Department of Transportation.

To committee on Highways.

Referred on January 27, 1984.

##### **Assembly Clearinghouse Rule 83-153**

Relating to personnel standards for outpatient psychotherapy clinics.

Submitted by Department of Health and Social Services.

To committee on Health and Human Services.

Referred on January 27, 1984.

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#### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

##### **Assembly Bill 956**

Relating to appeal of orders relating to bail or release from custody.

By Representative Crawford.

To committee on Criminal Justice and Public Safety.

##### **Assembly Bill 957**

Relating to filing a copy of a satisfaction of judgment with the register of deeds.

By Representatives Matty, Hasenohrl, Walling, Van Gorden and Cowles, co-sponsored by Senator Lasee.

To committee on Local Affairs.

##### **Assembly Bill 958**

Relating to eligibility and priority of projects under the point source pollution abatement program and granting rule-making authority.

By Representative Swoboda, by request of city of Sturgeon Bay.

To committee on Environmental Resources.

##### **Assembly Bill 959**

For the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of agencies, officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating duplications and unnecessary or obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

By Law Revision Committee.

To committee on Government Operations.

##### **Assembly Bill 960**

Relating to a sales and use tax exemption for garden seeds and plants used to grow food.

By Representatives Plewa, M. Coggs, Hasenohrl, Walling, Buettner, Smith, Goetsch and Seery.

To Joint Survey Committee on Tax Exemptions.

##### **Assembly Bill 961**

Relating to abolishing the requirement that stamps be used as evidence that the liquor tax has been paid.

By committee on Excise and Fees.

To committee on Excise and Fees.

##### **Assembly Bill 962**

Relating to eligibility for ballot placement of convicted felons who have not been pardoned.

By Representatives Cowles, Crawford, R. Travis, Prosser, Walling, Buettner, Rude, Zeuske, Bolle and Gilson.

To committee on Elections.

##### **Assembly Bill 963**

Relating to the homestead credit.

By Representatives Medinger, Robinson, Smith, Volk, Bell, Sell, Lewis and Horvath, co-sponsored by Senators Maurer, Feingold, Cullen, Czarnecki, George, Helbach, Kincaid, Lee, Kleczka, Moen, Otte and Van Sistine.

To Joint Committee on Finance.

##### **Assembly Bill 964**

Relating to small claims proceedings.

By Representatives Roberts and Medinger, by request of LaCrosse County Circuit Judge Dennis Montabon.

To committee on Judiciary.

##### **Assembly Bill 965**

Relating to the registration of motor vehicles subject to inspection under the motor vehicle emission inspection and maintenance program.

By Representatives Hasenohrl and Vanderperren, co-sponsored by Senator Otte.

To committee on Environmental Resources.

##### **Assembly Bill 966**

Relating to liability for nonmoving traffic violations with rented or leased vehicles.

By Representatives Vanderperren, Hasenohrl, Andrea, Matty and Rogers, co-sponsored by Senators Otte, Johnston and George.

To committee on Highways.

##### **Assembly Bill 967**

Relating to real estate transfer fees for assignments of a buyer's interest under a land contract.

By Representatives Buettner and Larson.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 968**

Relating to authorizing group deer hunting, and granting rule-making authority.

By Representatives Horvath, Smith, Robinson, Lewis, Chvala, Zeuske, Kasten, Gronemus, Stower, Jaronitzky, Foti, Hasenohrl, Schneider, Matty, Tregoning, Holperin and Schneiders, co-sponsored by Senators Kincaid, Roshell, Helbach, Czarnezki and Moen.

To committee on Tourism and Recreation.

**Assembly Bill 969**

Relating to liability for the cost of care of children receiving services from public agencies and making appropriations.

By Representative Prosser, co-sponsored by Senator Ellis.

To committee on Health and Human Services.

**Assembly Bill 970**

Relating to correcting errors in the assessment of property and to crediting interest on property tax refunds against the taxpayer's next tax bill.

By Representatives Prosser, R. Thompson, Wood and Matty, co-sponsored by Senators Norquist, Ellis and Otte.

To committee on Local Affairs.

**Assembly Bill 971**

Relating to authorizing a county board of supervisors to determine the number of members of its county handicapped children's education board.

By Representative Potter, co-sponsored by Senator Otte.

To committee on Local Affairs.

**Assembly Bill 972**

Relating to prohibiting references to arthritis pain as "minor" in advertisements and providing a penalty.

By Representative Schneider.

To committee on Commerce and Consumer Affairs.

**Assembly Bill 973**

Relating to creating a council on solar development in the department of industry, labor and human relations and requiring the department of industry, labor and human relations to promulgate rules establishing standards for renewable energy resource systems.

By Representatives Gilson and Porter.

To committee on Energy and Utilities.

**Assembly Bill 974**

Relating to the licensure and regulation of respiratory therapy practitioners by the medical examining board, creating a respiratory therapy practitioners examining council and granting rule-making authority.

By Representatives Hasenohrl, Vanderperren, Holperin, Prosser, Hauke and Johnson.

To committee on Commerce and Consumer Affairs.

**Assembly Bill 975**

Relating to the judicial commission and ethics board and making appropriations.

By Representatives Lewis, Rutkowski, Munts, Clarenbach, Prosser, Metz, Miller, Schober, Wimmer and Crawford.

To committee on Judiciary.

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COMMITTEE REPORTS

The committee on Commerce and Consumer Affairs reports and recommends:

**Assembly Bill 693**

Relating to registration requirements for pharmacists.

Passage: Ayes: (6) Noes: (0)

To committee on Rules.

**Assembly Bill 702**

Relating to condominium plat requirements.

Passage: Ayes: (7) Noes: (0)

To committee on Rules.

**Assembly Bill 756**

Relating to regulation of continuing care contracts, granting rule-making authority, making an appropriation and providing a penalty.

Adoption of assembly substitute amendment 1:

Ayes: (7) Noes: (0)

Passage: Ayes: (7) Noes: (0)

To Joint Committee on Finance.

**Senate Bill 429**

Relating to regulating the licensing practices for motion pictures and imposing a penalty.

Concurrence: Ayes: (7) Noes: (0)

To committee on Rules.

LOIS PLOUS

Chairperson

The committee on Government Operations reports and recommends:

**Assembly Bill 789**

Relating to modifying the accumulated sick leave conversion credit program for state employees.

Passage: Ayes: (6) Noes: (0)

To Joint Committee on Finance.

**Assembly Bill 794**

Relating to technical changes in the Wisconsin retirement system.

Adoption of assembly amendment 1:

Ayes: (6) Noes: (0)

Passage: Ayes: (6) Noes: (0)

To committee on Rules.

**Assembly Bill 846**

Relating to providing certain employment opportunities to persons laid off from the state classified civil service.

Adoption of assembly substitute amendment 1:  
Ayes: (6) Noes: (0)

Passage: Ayes: (6) Noes: (0)  
To committee on Rules.

**Assembly Bill 837**

Relating to various changes in the regulation of lobbying, providing penalties and making appropriations.

Adoption of assembly substitute amendment 1:  
Ayes: (6) Noes: (0)

Passage: Ayes: (6) Noes: (0)  
To Joint Committee on Finance.

VIRGIL ROBERTS  
Chairperson

The committee on Judiciary reports and recommends:

**Assembly Bill 293**

Relating to videotape expenses in court actions.

Adoption of assembly substitute amendment 1:  
Ayes: (11) Noes: (0)

Passage: Ayes: (11) Noes: (0)  
To committee on Rules.

**Assembly Bill 318**

Relating to state reimbursement for county payment of guardian ad litem fees and making an appropriation.

Passage: Ayes: (11) Noes: (0)  
To Joint Committee on Finance.

**Assembly Bill 750**

Relating to the award of litigation expenses in condemnation proceedings.

Passage: Ayes: (11) Noes: (0)  
To committee on Rules.

**Assembly Bill 761**

Relating to court records in termination of parental rights proceedings.

Adoption of assembly substitute amendment 1:  
Ayes: (11) Noes: (0)

Passage: Ayes: (11) Noes: (0)  
To committee on Rules.

**Assembly Bill 829**

Relating to increasing the number of circuit judges.

Passage: Ayes: (10) Noes: (1)  
To Joint Committee on Finance.

**Senate Bill 138**

Relating to removing limitations on awards for loss of society and companionship.

Concurrence: Ayes: (11) Noes: (0)  
To committee on Rules.

**Senate Bill 147**

Relating to accepting releases from liability and appointing guardians of the estate.

Concurrence: Ayes: (11) Noes: (0)  
To committee on Rules.

**Senate Bill 151**

Relating to time limits for commencing appeals and preferential treatment of certain actions.

Concurrence: Ayes: (11) Noes: (0)  
To committee on Rules.

**Senate Bill 232**

Relating to operating motor vehicles, enforcing motor vehicle laws, issuing warrants, patient health care records and providing penalties.

Adoption of assembly amendment 2:  
Ayes: (11) Noes: (0)

Adoption of assembly amendment 3:  
Ayes: (11) Noes: (0)

Concurrence: Ayes: (11) Noes: (0)  
To committee on Rules.

**Senate Bill 257**

Relating to wrongful death actions.

Concurrence: Ayes: (11) Noes: (0)  
To committee on Rules.

**Senate Bill 319**

Relating to service of process on Saturdays and Sundays.

Concurrence: Ayes: (11) Noes: (0)  
To committee on Rules.

**Senate Bill 362**

Relating to limiting the admissibility of evidence in a sexual assault case.

Concurrence: Ayes: (11) Noes: (0)  
To committee on Rules.

**Senate Bill 369**

Relating to social service agency investigation of problems regarding child visitation or custody.

Concurrence: Ayes: (11) Noes: (0)  
To committee on Rules.

JAMES RUTKOWSKI  
Chairperson

COMMUNICATIONS

January 20, 1984

Mr. Donald J. Schneider  
Chief Clerk, State Senate  
131A, State Capitol  
Madison, WI 53702

Joanne M. Duren  
Chief Clerk, State Assembly  
327 West, State Capitol  
Madison, WI 53702

Dear Mr. Schneider and Ms. Duren:

Please include this letter in the Senate and Assembly Journals. The State Elections Board is required to certify to the county clerks all referendum questions to be submitted to the electors at the spring election on Tuesday, April 3, 1984. In order for the State Elections Board staff to prepare the certification, it is necessary for us to have in our possession no later than February 21, 1984, the certified copy of any resolutions directing that a referendum be submitted to the electors along with the explanatory statement prepared by the Attorney General under the provisions of s. 10.02 (2) (c), Wis. Stats.

Legislators seeking to secure the passage of a resolution which would direct the submission of a referendum question to the electors at the April 3, 1984 election are encouraged to consult with the Attorney General's office to develop the explanatory statement that must accompany the publication of the referendum notice by the Elections Board and the county clerks.

The county clerks and the Elections Board need the intervening two week period, between February 21 and March 6, 1984, to arrange for publication with the appropriate newspapers for printing ballots.

Thank you for your time and attention to this matter. If any legislators have questions, they are encouraged to contact the staff of the State Elections Board.

Sincerely,  
KEVIN J. KENNEDY  
Executive Secretary

January 24, 1984

Ms. Joanne Duren  
Assembly Chief Clerk  
327 West, State Capitol  
Madison, Wisconsin 53702

Dear Joanne:

I am pleased to transmit to you the following report to the 1983 Legislature on legislation introduced by the Legislative Council:

RL 83-32 Legislation Relating to Health  
Maintenance Organization Services  
(Assembly Bill 836)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of the report are available, on request, in the Legislative Council offices, Room 147 North, State Capitol.

Sincerely,  
BONNIE REESE  
Executive Secretary

January 25, 1984

Governor Anthony Earl  
Room 115 East  
State Capitol  
Madison, WI 53702

Dear Tony,

Thank you for your letter requesting to address a joint convention of the Senate and Assembly.

It would be an honor and pleasure for the Assembly and Senate to have you address a joint session.

We look forward to hearing from you on January 31, 1984, at 10:30 a.m.

TOM LOFTUS  
Assembly Speaker  
FRED RISSER  
Senate President

SPEAKER'S APPOINTMENTS

January 24, 1984

Representative Marcia Coggs  
Room 329 West  
State Capitol  
Madison, WI 53702

Dear Marcia,

This is to notify you of your appointment as Vice-Chairperson of the Assembly Committee on Health and Human Services, effective immediately.

TOM LOFTUS  
Speaker

JOURNAL OF THE ASSEMBLY [January 31, 1984]

January 24, 1984

JOINT CONVENTION

Representative Charles Chvala  
Room 11 East  
State Capitol  
Madison, WI 53702

Dear Chuck,

This is to notify you of your appointment as a member of the Assembly Committee on Consumer and Commercial Credit, effective immediately.

TOM LOFTUS  
Speaker

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CALENDAR OF TUESDAY, JANUARY 31

**Assembly Joint Resolution 77**

Relating to the life and public service of Clement J. Zablocki.

The question was: Shall **Assembly Joint Resolution 77** be adopted?

Motion carried.

Representative Johnson asked unanimous consent that all members of the assembly be made co-authors of **Assembly Joint Resolution 77**. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 77** be immediately messaged to the senate. Granted.

Representative T. Thompson introduced a privileged joint resolution.

**Assembly Joint Resolution 84**

Relating to the life and public service of Bernard Lewison.

By Representatives T. Thompson, Tregoning, Luckhardt, Rude and all members of the assembly.

The question was: Shall **Assembly Joint Resolution 84** be adopted?

Motion carried.

Representative T. Thompson asked unanimous consent that all members of the assembly be made co-authors of **Assembly Joint Resolution 84**. Granted.

Representative T. Thompson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 84** be immediately messaged to the senate. Granted.

The assembly stood informal awaiting the arrival of the senate.

10:25 A.M.

The assembly was called to order by the speaker.

The sergeant-at-arms announced the arrival of the senate.

The houses went into joint convention.

Senate president Risser presiding.

Escorted by Senators Thompson and Lorge and Representatives Vanderperren and McEssy, Governor Earl took his place at the rostrum to deliver his state of the state address.

Pursuant to Joint Rule 73, the governor's message is printed in the senate journal only.

Representative Johnson moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

11:40 A.M.

The assembly reconvened.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Bill 971** be withdrawn from the committee on Local Affairs and referred to the committee on Primary and Secondary Education. Granted.

Representative Johnson asked unanimous consent that the assembly adjourn in honor of the birth on January 21, 1984 of Amy Marie Stigler, daughter of Ken and Pam Stigler. Granted.

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REFERENCE BUREAU CORRECTIONS

Assembly substitute amendment 1 to **Assembly Bill 868**  
Page 12, line 23: delete "An" and substitute "All".

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VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Mr. and Mrs. Clarence Keller from Beaver Dam, guests of Representative Goetsch .

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Representative Johnson moved that the assembly stand adjourned until 9:00 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

11:45 A.M.